ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

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C A P. LXXVI.

An Act to authorize the issuing of Commissions and Letters of Marque and Reprisal against His Majesty's Enemies, to such Ships and Vessels belonging to His Majesty as are or may be employed in the Service of the Boards of Customs and Excise, and other Publick Boards in this Kingdom.

[27th *June* 1801.]

WHEREAS under the Regulations of an Act of Parliament made and passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for the Encouragement of Seamen, and for the better and more effectually manning His Majesty's Navy*, the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, are authorized to cause Commissions and Letters of Marque to be issued to such Ships and Vessels only as belong to His Majesty's Subjects, and which shall have been registered pursuant to an Act of Parliament made and passed in the Twenty-sixth Year of the Reign of His said Majesty, intituled, *An Act for the further Increase and Encouragement of Shipping and Navigation*, the Certificate of which Registry is also by the said first recited Act required to be produced to the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of *Great Britain*, previous

Preamble.

33 *Geo.* III, Cap. 66.

26 *Geo.* III, Cap. 60.

to

to the granting any ſuch Commiſſion or Letter of Marque: And whereas Ships and Veſſels which belong to His Majeſty are by the ſaid recited Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty expreſsly exempted from being regiſtered, by reaſon whereof no Commiſſions or Letters of Marque can regularly be granted to any Ships or Veſſels of His Majeſty in the Service of the Boards of Cuſtoms and Exciſe, or other Publick Boards, without the Sanction of Parliament; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful to and for the Lord High Admiral or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain*, for the Time being, or any Three or more of them, if they ſhall think fit, or any Perſon or Perſons, by him or them empowered and appointed for that Purpoſe, at the Requeſt or on the Application of the Commiſſioners of His Majeſty's Cuſtoms, Exciſe, Navy, Tranſports, Ordnance, or Victualling, to cauſe to be iſſued in the uſual Manner One or more Commiſſion or Commiſſions, or Letter or Letters of Marque and Reprizal, to any Perſon or Perſons whom ſuch Commiſſioners ſo applying ſhall nominate to be Commander, or in caſe of Death ſucceſſively Commanders of ſuch Ship or Veſſel for the attacking, ſurprizing, ſeizing, and taking, by or with ſuch Ship or Veſſel, or with the Crew thereof, any Place or Fortreſs upon the Land, or any Ship or Veſſel, Arms, Ammunition, Stores of War, Goods, and Merchandize, belonging to or poſſeſſed by any of His Majeſty's Enemies, in any Sea, Creek, Haven, or River, and that ſuch Ship or Ships, Veſſel or Veſſels, Arms, Ammunition, Stores of War, Goods and Merchandize whatſoever, with all their Furniture, Tackle, and Apparel, ſo to be taken, by or with ſuch Ship or Veſſel ſo having ſuch Commiſſion or Letter of Marque, after final Adjudication thereof, as lawful Prize in the High Court of Admiralty, or in any other Court of Admiralty in His Majeſty's Dominions, which ſhall be duly authorized thereto, ſhall wholly and entirely belong to, and be divided between and among the ſeveral Perſons who ſhall be on board the ſame, and be aiding and aſſiſting in the taking thereof, in ſuch Shares and Proportions as the Commiſſioners of His Majeſty's Cuſtoms and Exciſe, or of any other Publick Board in this Kingdom, ſhall reſpectively think proper, and that neither His Majeſty, His Heirs or Succeſſors, nor any other Perſon or Perſons whomſoever, other than the Perſons who ſhall be ſo on board ſuch Ship or Veſſel, and be aiding and aſſiſting in ſuch Captures, ſhall be entitled to any Part or Share thereof, except as to the Cuſtoms and Duties which by Law are or may be payable in reſpect thereof, any Thing contained in the ſaid recited Act paſſed in the Thirty-third Year of His ſaid Majeſty's Reign, or any other Law, Uſage, or Cuſtom to the contrary thereof, in any wiſe notwithſtanding.

The Admiralty, at the Requeſt of the Commiſſioners of the Cuſtoms, Exciſe, *etc.* may iſſue Letters of Marque to ſuch Perſons as the Commiſſioners ſhall nominate to be Commanders, and the Prizes taken ſhall be divided among the Captors in ſuch Shares as the Commiſſioners, *&c.* ſhall think proper.

II. Provided always, and be it declared and enacted, That before the granting or iſſuing of any Commiſſion or Letter of Marque in purſuance of this Act, ſuch or the like Bail and Security ſhall be taken as hath been uſual in Caſes of Commiſſions or Letters of Marque granted to Merchants Ships and Veſſels, and that the Sufficiency of ſuch Bail or Security ſhall be enquired into and reported, and ſuch Oath be taken by them

Security ſhall be given before iſſuing any Letters of Marque as directed by 33 *Geo.* III, Cap. 66.

them as are prescribed and required by the said recited Act passed in the Thirty-third Year of the Reign of His said Majesty, and that all and every the Rules, Regulations, Clauses, Provisoes, Restrictions, Pains, Penalties, Forfeitures, Matters and Things whatsoever, contained in the said last mentioned Act, or in any other Act or Acts of Parliament relating to the applying for, obtaining, using, or revoking of Commissions, or Letters of Marque for Ships or Vessels belonging to His Majesty's Subjects, and relating to the Commanders, Officers, and Crews of such Ships or Vessels, and the Captures by them made, or Offences by them committed, or to any Person or Persons granting Certificates, or otherwise acting in respect to such Ships or Vessels, (except so far as the same are hereby altered and amended) shall be observed and performed and be in full Force and Effect so far as the same are or may be applicable in regard to Ships or Vessels having Commissions or Letters of Marque under the Provisions of this present Act, and to the Commanders, Officers, and Crews thereof, and other Persons acting in any wise relating thereto, as fully and effectually to all Intents and Purposes as if the said Rules, Regulations, Clauses, Provisoes, Restrictions, Pains, Penalties, Forfeitures, Matters and Things, were particularly repeated and re-enacted in the Body of this present Act.

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